

**REGULAR AGENDA MEETING**  
**Mayor and Council**  
**Borough of Harrington Park, New Jersey**  
**November 8, 2021**

**PUBLIC NOTICE**  
**BOROUGH OF HARRINGTON PARK**  
**MEETING MOVED TO ELECTRONIC PLATFORM**  
**“ZOOM.US”**

Pursuant to Governor Murphy’s Executive Orders #107 and 108 ordering Statewide lockdowns, and P.L. 2020, c. 34 permitting public bodies to conduct meetings via electronic means during declared states of emergency, the meeting of the Borough of Harrington Park scheduled for **November 8, 2021 at 7:00pm** will be conducted remotely from the electronic meeting platform Zoom.us. Members of the public can join the meeting and participate during public comment period by joining the meeting using the Zoom mobile application on a smartphone or tablet, joining the meeting by laptop with microphone capabilities, or dialing in using a telephone to the Zoom teleconference system. Information on how to join the meeting electronically appears below.

Members of the public may submit written comments in advance of a meeting, which will be read during the relevant public portion of the meeting. Written comments shall contain the person’s name and address and may be submitted via email to the Borough Clerk ([clerk@harringtonparknj.gov](mailto:clerk@harringtonparknj.gov)) or by mail addressed to: Clerk, Borough Hall, 85 Harriot Ave., Harrington Park, NJ. Emailed comments must be received at least 48 hours prior to the meeting. Mailed comments must be received by 4:00 p.m. the day before the meeting.

If any meeting includes a public hearing, all material that will be considered by the Borough Council at the public hearing shall be posted on or linked to the homepage of the Borough’s website in a conspicuous location or as otherwise required by law. Written comments, as set forth above, will be accepted for such public hearings. If sworn testimony is to be taken during the public hearing, it shall be broadcast by both video and audio. Written public comments will not be considered where sworn testimony is required.

Time: Nov 8, 2021 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/84022239199?pwd=R1ZEOTI0RGwyQTVud3JGQ1hRa1p5QT09>

Meeting ID: 840 2223 9199

Passcode: 434933

One tap mobile

+19292056099,,84022239199#,,, \*434933# US (New York)

Dial by your location

+1 929 205 6099 US (New York)

Meeting ID: 840 2223 9199

Passcode: 434933

Find your local number: <https://us06web.zoom.us/j/84022239199>

A copy of the agenda and all meeting materials is available at the Borough of Harrington Park website: [www.harringtonparknj.gov](http://www.harringtonparknj.gov) or by calling the Borough Clerk at 201-768-1700 or

submitting an email request [clerk@harringtonparknj.gov](mailto:clerk@harringtonparknj.gov) between the hours of 9:00 am and 4:00 pm during normal business days (Monday-Friday)

Please be aware that the audio connections for all members of the public will be muted for the duration of the meeting, except for those periods when public comments are received. Members of the public may use the “raise your hand” feature on Zoom, to request to participate in public comment portions. The Borough may impose time limitations on the length of individual speakers.

Members of the public are advised that the video and audio of the meeting will be recorded and will be a public record subject to disclosure pursuant to the Open Public Meetings Act. The Borough reserves the right to post the recording of the meeting to its website.

Formal Action may or may not be taken.  
Any other business that may come before the Council

**(PAH) Call Meeting to Order**

**Time: 7:00pm**

**Mayor’s Announcement:**

In compliance with Chapter 231, Public Law 1975, adequate notice of the meeting was made. It is included in the Annual Meetings posted on the bulletin board in the Municipal Center. Copies have been emailed to the BERGEN RECORD and SUBURBANITE. A copy has been filed with the Borough Clerk, and copies have been provided to individuals requesting the same.

**(ALB) Roll Call:**

	PRESENT	ABSENT
NAPOLITANO(AN)	x	
EVANELLA (GE)		x
WALKER (DW)	x	
BROCKMAN (JB)	x	
PEDERSEN (JP)	x	
CHUNG (JC)		x

**Also present:**

**Ms. Ann H. Bistriz, CMC, RMC, CMR Admin. (ALB)**  
**Councilman Elect William Blackinton (WB)**

**(PAH) Motion to Open to the Public**

**Motion AN**

**Second JB**

**Eric Fishbein-Dimas Court**

Congratulated JP and Council Elect WB. Thanked all the Council for their time and effort for our community.

PAH thanked Mr. Fishbein for his time and effort as a volunteer.

**“Robyns IPAD” present and was asked to speak but there was no response.**

**(PAH) Meeting Closed to the Public and Returned to the Regular Order of Business.**

**(PAH) Consent Agenda-Resolutions-**

**All matters listed under this section are considered to be routine by the Borough Council and will be enacted by one motion as listed below. There will not be separate discussion of these items. Should discussion be desired, that item will be removed from the Consent Agenda and will be considered separately under New or Old Business on the Agenda.**

**Consent Approval Items: A-D**

**A 2021-147 Memorialization of October Payment of Claims**

**B 2021-148 RESOLUTION OF THE BOROUGH OF HARRINGTON PARK  
AUTHORIZING THE ACCEPTANCE OF THE STATE OF NEW JERSEY  
DEPARTMENT OF LAW AND PUBLIC SAFETY, OFFICE OF THE ATTORNEY  
GENERAL SFY21 BODY-WORN CAMERA GRANT PROGRAM STATE FISCAL  
YEAR 2021**

**C 2021-149 Municipal Alliance Grant FY 2023**

**D 2021-150 Property Maintenance Official**

**Motion JP**

**Second AN**

**Discussion-None**

**Vote AIF**

**Individual Committee Reports**

**(PAH) Mayor Hoelscher**

**(AN) Planning Bd., Bd. of Adjustment, Construction, Fire, Ambulance**

Fire on Bogerts Mill Road was responded to and put out in under 15 minutes by our Fire Department. They continually show professionalism in their responses.

**(GE) Police, Municipal Court, Personnel**

**(DW) DPW, Building & Grounds, Sanitation/Recycling**

Pondside Park is now open to the public 100%. Both the bridge and pathway have been repaired from Tropical Storm Ida damage.

Leaf truck has been through the town 4 times thus far.

PAH thanked the DPW for a job well done.

**(JB) Board of Health, Environmental Commission**

**(JP) Finance, Admin. & Exec., Grants**

Best Practices has been submitted and the Borough is receiving the full (100%) amount of what is eligible.

Bond Ordinance Amendment will include the ADA bathrooms for Highland Fieldhouse (reimbursed by CDBG).

**(JC) Recreation Commission, Liaison to Board of Education, Public Information**

**(JRD) Borough Attorney**

**(ALB) Borough Clerk/Administrator**

Community Development Block Grant Application due December 20, 2021

Council needs to advise what project they would like Neglia Engineering to submit.

Raffle approval for HSA November 13, 2021

Motion AN

Second JB

Vote AIF

**(KJT) CFO/TAX Collector**

**Old Business:**

**New Business:**

(AN) Melanie Matzelle (HP Meat Market) wife of Fireman has passed away. Fire Department held a memorial service for her. Condolences to the family.

**(JB) Harrington Park Community Business Alliance-Home for the Holidays**

This year, there are plans in place to enhance the Lions Club Holiday Lighting event in December. Instead of just having the lighting ceremony and a walk back to the Fire House for hot chocolate and Santa, the Business Alliance will be holding an outdoor event along Laroche Avenue to include the tree and menorah lighting ceremony, pictures with Santa, Santa visit, Fire Department, vendors and more.

**Road Closure Request**

**Resolution**

**2021-152**

**Whereas**, Harrington Park Community Business Alliance is planning Home for the Holiday on December 5, 2021 in conjunction with the Harrington Park Lions Club and other Harrington Park Volunteer Organizations and local businesses; and

**Whereas**, HPCBA is requesting to close Laroche Avenue between Lynn Street and Carmen Road, Carmen Road between Laroche Avenue and Giles Road, and Semmens Road between Laroche Avenue and Columbus Avenue and South Avenue.

**Whereas**, road shall be closed between the hours of 3:30pm and 6:30pm; and

**Whereas**, the Department of Public Works, the Police Department, Volunteer Ambulance Corps and Volunteer Fire Department shall be notified of requested road closures.

**Therefore Be It Resolved**, that the Mayor and Council of the Borough of Harrington Park approved the specified road closures for the purpose of the Harrington Park Home for the Holiday event scheduled for December

Motion JB

Second JP

Discussion- None

Vote AIF

(JB) Thank you to PAH and Marti Francis for the support of this year's Farmers Market. It was the best one yet. The set up and communication was very professional. The Market is recognized as one of the better ones in the area.

PAH added that he made a point on visiting each vendor. He heard the same thing from each one regarding how well attended and how organized the Market is. All expressed their wishes to have the Market continue next year. Job well done by all associated.

**(JP/ KJT) Corrective Action Plan AUDIT 2020 Borough of Harrington Park:**

Comment 1: Old outstanding grant receivables and grant reserves be reviewed and cleared of record.

ACTION: CFO has started the work and will make sure that by year end all grants receivables and grant reserves are cleared of record.

Comment 2: A detailed analysis be maintained for all escrow deposits and inactive reserves be reviewed and cleared of record.

ACTION: CFO will review all the escrow accounts and create a list of escrow deposits and inactive reserves will be cleared out of record.

Comment 3: The prior year tax overpayments be refunded or applied to outstanding tax balances

Action: CFO will review and refund or apply all overpayments of tax.

Comment 4: Purchase orders for Recurring expenses be recorded in the Current Fund and the purchase order report for the General Capital fund be integrated with the general Ledger.

Action: CFO will encumber the purchase order of recurring expenses and will also integrate capital fund with GL.

Comment 5: all old outstanding checks, miscellaneous adjustments and inter account balance on the Current Fund and other Trust fund bank reconciliations be reviewed and cleared of record.

Action: CFO will review and clear up all the old outstanding checks and adjustments from all funds.

(JP)

**Resolution  
2021-153**

**RESOLUTION APPROVING THE CORRECTIVE ACTION  
PLAN FOR THE FISCAL YEAR ENDING DECEMBER 31, 2020**

**WHEREAS**, N.J.S.A. 40A:5-4 requires the governing body of every local unit to cause an annual audit of its books, accounts and financial transactions to be made and completed within six months after the close of its fiscal year; and,

**WHEREAS**, in accordance with OMB Circular A-133, 98-07, and Local Finance Notice CFO 97-16, all local government units must prepare and submit a Corrective Action Plan as part of the annual audit process, and,

**WHEREAS**, the Corrective Action Plan shall cover all findings and recommendations, including state, federal, and general or financial statement findings in the audit report; and,

**WHEREAS**, the Chief Financial Officer shall prepare said Corrective Action Plan with the assistance from other officials affected by the audit recommendations; and,

**WHEREAS**, the Corrective Action Plan must be approved by the governing body of the local unit and is to be submitted to the Division of Local Government Services no later than sixty days from the receipt of the audit report; and,

**NOW THEREFORE BE IT RESOLVED**, by the Municipal Council of the Borough of Harrington Park that the Corrective Action Plan for calendar year December 31, 2020 is hereby approved. Copy has to be sent to Local Finance board.

Motion JP

Second DW

Discussion None

Vote AIF

**Ordinances: Introduction by Title-Addendum E**

**Proposed Ordinance #759**

**BOND ORDINANCE AMENDING AND RESTATING BOND ORDINANCE NUMBER 755 (WHICH PROVIDES FOR VARIOUS 2021 CAPITAL IMPROVEMENTS) HERETOFORE FINALLY ADOPTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HARRINGTON PARK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY (THE "BOROUGH") ON MAY 25, 2021, TO INCREASE THE APPROPRIATION TO \$1,385,987 (INCLUDING INCREASING GRANTS TO \$291,666), TO INCREASE THE AUTHORIZATION OF BONDS OR NOTES OF THE BOROUGH TO \$1,042,210, TO INCREASE THE DOWN PAYMENT TO \$52,111 AND TO AMEND THE DESCRIPTION OF THE IMPROVEMENTS AND PURPOSES AUTHORIZED THEREBY**

Motion JP

Second AN

Discussion-This amendment will cover the cost of CDBG reimbursement.

Roll Call Vote AIF

(PAH) Meeting Open to the Public was held at the beginning of the meeting, however a resident under Robyns IPAD raised hand after meeting was closed to public at this juncture of the meeting. Council chose to reopen and cease the adjournment of the meeting.

Motion JP

Second DW

Vote AIF

Dan Waracka, Giles Road

Inquired about why the concrete pad at the pavilion at Highland Field was performed on a Saturday.

ALB explained that this was a last minute opportunity to repair the vandalized area since the weather has not been in favor of scheduling the repair. The contract that was used for the initial construction had an unexpected opening and the Borough Engineer opted to have the work done. Mr. Waraka added that the work impeded on the soccer/sports that was occurring at Highland Field, but thanked the Clerk for her transparency. He also suggested that the Borough consider camera security at the Fieldhouse so incidents such as this do not happen in the future.

**(PAH)Close the Meeting to the Public**

**Motion JB**

**Second JP**

**Vote AIF**

**~~(PAH)Motion for Closed Session Time:~~**

~~Second~~

~~Vote~~

### **RESOLUTION**

~~**WHEREAS**, N.J.S.A. 10:4-12 permits a public body to conduct business in Closed Session during a public meeting; and~~

~~**WHEREAS**, the Mayor and Council deem it necessary to discuss certain matters in Closed Session as permitted by the aforesaid statute.~~

~~**BE IT FURTHER RESOLVED** that discussion of the aforementioned subjects may be made public at such time as disclosure of the discussion will not detrimentally affect the interest and Borough as to said discussion.~~

**Adjournment-Time: 7:27pm**

**Motion: JP**

**Second: DW**

**AIF**

### **Addendum A**

#### **Resolution**

**2021-147**

#### **Memorialization of Action**

#### **October Payment of Claims**

**WHEREAS**, claims have been submitted to the Borough of Harrington Park in the following amounts under various funds of the town:

Current Appropriations (2020)	\$	170.00
Current Appropriations (2021)	\$	208,692.98
General Capital Fund	\$	9,664.00
Animal Trust	\$	10.80
Miscellaneous Trust	\$	7,473.20

Affordable Housing Trust	\$	
Open Space Trust Fund	\$	3,446.00
Grants	\$	5,280.36
Escrow	\$	66,313.86
<b>Total</b>	<b>\$</b>	<b>297,605.20</b>

**WHEREAS**, above claims have been listed and summarized in the attached Bills List Report, and the corresponding vouchers have been reviewed and approved by the department head, Borough Council, and the chief financial officer; and

**WHEREAS**, the Chief Financial Officer has determined that the funds have been properly appropriated for such purposes and are available in the Borough of Harrington Park and that the claims specified on the schedule attached hereto, following examination and approval by the Council and Chief Financial Officer and Department Head be paid and checks issued accordingly; and

**WHEREAS**, claims have already been paid in the following amounts for the purpose specified below:

Payroll- Salaries/Wages	\$	122,382.98
Payroll- Salaries/Wages	\$	129,966.50
Payroll- Salaries/Wages	\$	
Payroll-Salaries/Wages	\$	
Local School-	\$	2,164,550.00
Regional School –	\$	629,795.80
Capital Fund/Health Benefits/Pensions	\$	80,980.79
Debt Services Principle (bond)	\$	
Debt Services Interest	\$	
Debt Service Loan/Interest (NJEIT)	\$	
<b>TOTAL</b>	<b>\$</b>	<b>3,127,676.07</b>

**NOW, THEREFORE BE IT RESOLVED** by the Mayor and Council of the Borough of Harrington Park that the claims totaling **\$3,425,281.27** be approved and ratified respectively.

**Addendum B  
Resolution  
2021-148**

**RESOLUTION OF THE BOROUGH OF HARRINGTON PARK AUTHORIZING THE  
ACCEPTANCE OF THE STATE OF NEW JERSEY DEPARTMENT OF LAW AND**



**PUBLIC SAFETY, OFFICE OF THE ATTORNEY GENERAL SFY21 BODY-WORN  
CAMERA GRANT PROGRAM STATE FISCAL YEAR 2021**

WHEREAS, The Borough of Harrington Park desires to accept funding in the amount of \$24,456.00 with no match under the SFY21 Body-Worn Camera Grant Program, State Account No. BFY21-100-066-1020-495 Award Number 21-BWC-165, Subaward Period: January 1,2021-December 31,2025;and

WHEREAS, The Borough of Harrington Park has reviewed the accompanying application and has approved said requests; an

WHEREAS, this project is a joint effort between the Department of Law and Public Safety Office of the Attorney General and The Borough of Harrington Park Police Department for the purpose described in the application.

NOW THEREFORE, BE IT RESOLVED, on this 8th day of November, 2021 by the borough council of The Borough of Harrington Park, County of Bergen, and the State of New Jersey, that:

1. As a matter of public policy, the Borough of Harrington Park Police Department wishes to participate to the fullest extent possible with the Department of Law and Public Safety, Office of the Attorney General;
2. The Attorney General will receive funds on behalf of the applicant;
3. The Office of the Attorney General will be responsible for the receipt and review of the application for said funds;
4. The Office of the Attorney General will initiate allocations to each applicant as authorized.

**Addendum C  
Resolution  
2021-149**

**Municipal Alliance Grant FY 2023  
FORM 1B**

**WHEREAS**, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

**WHEREAS**, The Mayor and Council of the Borough of Harrington Park, County of Bergen, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore has an established Municipal Alliance Committee; and,

**WHEREAS**, the Borough of Harrington Park Mayor and Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

**WHEREAS**, the Borough of Harrington Park Mayor and Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Bergen;

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Harrington Park, County of Bergen, State of New Jersey hereby recognizes the following:

1. The Borough of Harrington Park Mayor and Council does hereby authorize submission of a strategic plan for the Harrington Park Municipal Alliance grant for fiscal year 2023 in the amount of:

DEDR	\$3836.33
Cash Match	\$ 959.08
In-Kind	\$2877.25
2. The Borough of Harrington Park Mayor and Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

**Addendum D  
Resolution  
2021-150**

**Property Maintenance Officer**

WHEREAS, Scott Wickersheim has for some time been employed by the Borough of Harrington Park in the areas of administration of the Building Department;

WHEREAS, Scott Wickersheim has agreed, in addition to his current responsibilities to assume the position of "Property Maintenance" official;

WHEREAS, the Finance Committee determined that it was in the best interest of the Borough of Harrington Park to employ Scott Wickersheim as property maintenance official at a salary of \$6925.00 per annum and whose hours shall be Wednesdays from 5-6:00 PM all for the health welfare and safety of the community;

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council hereby employ and otherwise accept Scott Wickersheim to be employed by the Borough of Harrington Park as "Property Maintenance" for the sum of \$6925 per annum from 10-01-2021,

WHEREAS Scott Wickersheim's office hours for Property Maintenance officer shall be Wednesdays from 5-6:00 PM. He will be available while he is working as Construction Code Official and Plumbing Inspector to answer via e-mails, phone calls to address issues relating to property maintenance.

WHEREAS Chief Finance Officer certifies that there are sufficient funds available.

**Addendum E  
Proposed Ordinance  
BOROUGH OF HARRINGTON PARK  
BOND ORDINANCE # 759**

**BOND ORDINANCE AMENDING AND RESTATING BOND  
ORDINANCE NUMBER 755 (WHICH PROVIDES FOR  
VARIOUS 2021 CAPITAL IMPROVEMENTS)  
HERETOFORE FINALLY ADOPTED BY THE BOROUGH  
COUNCIL OF THE BOROUGH OF HARRINGTON PARK,  
IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY**

**(THE "BOROUGH") ON MAY 25, 2021, TO INCREASE THE APPROPRIATION TO \$1,385,987 (INCLUDING INCREASING GRANTS TO \$291,666), TO INCREASE THE AUTHORIZATION OF BONDS OR NOTES OF THE BOROUGH TO \$1,042,210, TO INCREASE THE DOWN PAYMENT TO \$52,111 AND TO AMEND THE DESCRIPTION OF THE IMPROVEMENTS AND PURPOSES AUTHORIZED THEREBY**

**BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF HARRINGTON PARK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:**

**SECTION 1.** The bond ordinance of the Borough of Harrington Park, in the County of Bergen, State of New Jersey (the "Borough"), finally adopted by the Borough Council of the Borough on May 25, 2021, numbered 755 and entitled, "BOND ORDINANCE PROVIDING FOR VARIOUS 2021 CAPITAL IMPROVEMENTS, BY AND IN THE BOROUGH OF HARRINGTON PARK, IN THE COUNTY OF BERGEN, STATE OF NEW JERSEY; APPROPRIATING \$1,269,321 THEREFOR (INCLUDING A NEW JERSEY DEPARTMENT OF TRANSPORTATION GRANT IN THE AMOUNT OF \$200,000) AND AUTHORIZING THE ISSUANCE OF \$1,018,400 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF" (the "Original Ordinance"), is hereby amended and restated in its entirety (including increasing the appropriation to \$1,385,987 and increasing Grants to \$291,666), increasing the authorization of bonds or notes to \$1,042,210, increasing the down payment to \$52,111 and amending the description of the improvements and purposes authorized thereby), as follows:

**"SECTION 1.** The improvements or purposes described in Section 3 of this bond ordinance are hereby authorized as general improvements or purposes to be undertaken by the Borough of Harrington Park, in the County of Bergen, State of New Jersey (the "Borough"). For the said improvements or purposes stated in Section 3, there is hereby appropriated the sum of \$1,385,987, said sum being inclusive of (i) a grant expected to be received from the New Jersey Department of Transportation in the amount of \$200,000 (the "NJDOT Grant"), (ii) a grant expected to be received from the Department of Housing and Urban Development's (HUD) Community Development Block Grant (CDBG) Program through the Bergen County Division of Community Development in the amount of \$91,666 (the "CDBG Grant", and together with the NJDOT Grant, collectively, the "Grants"), and (iii) a down payment in the amount of \$52,111 now available for a portion of said improvements or purposes required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the "Local Bond Law"), and now available therefor by virtue of a provision or provisions in a previously adopted budget or budgets of the Borough for down payment or for capital improvement purposes. Pursuant to N.J.S.A. 40A:2-11(c) of the Local Bond Law, no down payment is required for a portion of the improvements or purposes set forth in Section 3 hereof, as a \$291,666 portion of the costs of such improvements or purposes is expected to be funded by the Grants.

**SECTION 2.** For the financing of said improvements or purposes described in Section 3 hereof and to meet the part of said \$1,385,987 appropriation not provided for by the

Grants or said down payment referred to in Section 1 hereof, negotiable bonds of the Borough are hereby authorized to be issued in the principal amount of \$1,042,210 pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable notes of the Borough in a principal amount not exceeding \$1,042,210 are hereby authorized to be issued pursuant to, and within the limitations prescribed by, the Local Bond Law.

**SECTION 3.** (a) The improvements hereby authorized and purposes for the financing of which said bonds or notes are to be issued is the 2021 Capital Improvement Program, which includes, but is not limited to, (i) the acquisition and installation, as applicable, for use by the Fire Department, of (A) communications and other equipment, including, but not limited to, pagers, thermal imaging cameras, an in-vehicle Knox Box System, fire hydrant markers and various parts and accessories to outfit a truck, (B) an inflatable rescue boat and all equipment and accessories related thereto, and (C) personal protective equipment ("PPE"), including, but not limited to, turnout coats, bunker pants, boots, helmets, gloves and uniforms; (ii) the acquisition of a new vehicle for the Fire Chief; (iii) the acquisition of a Case backhoe, a Vermeer wood chipper, a Ford F-350 truck and a dump truck with salt spreader for use by the Department of Public Works ("DPW"); (iv) improvements and repairs to the roof of the DPW building; (v) the acquisition and installation, as applicable, of cameras, street signs and other miscellaneous signs for use by the Police Department; (vi) various improvements and repairs to the Police Department building, including, but not limited to, improvements, repairs and upgrades to the heating and air conditioning system; (vii) various improvements and repairs to the Borough's Municipal Building, including, but not limited to, improvements and upgrades to the information technology department; (viii) the acquisition and installation of a surveillance camera security system for use at the Borough's Municipal Building and surrounding grounds; (ix) improvements, repairs and upgrades to various roadways within the Borough, all as part of the Borough's 2019 Riverside Cooperative Road Improvement Project, including, but not limited to, Phase 2 of the construction of LaRoche Avenue (a \$200,000 portion of such improvement being funded by the NJDOT Grant); (x) improvements, repairs and upgrades to the Library building sidewalks to provide ADA accessibility to comply with the Americans with Disabilities Act; and (xi) improvements, repairs and upgrades to the Highland Field Fieldhouse restrooms to provide ADA accessibility to comply with the Americans with Disabilities Act (a \$91,666 portion of such improvement being funded by the CDBG Grant). Such improvements or purposes shall also include, as applicable, all engineering and design work, surveying, construction management services, preparation of plans and specifications, permits, bid documents, contract administration, and all work, materials, equipment, labor and appurtenances necessary therefor or incidental thereto, all in accordance with the plans and specifications therefor on file in the office of the Borough Clerk and available for public inspection and hereby approved.

(b) The estimated maximum amount of bonds or notes to be issued for said improvements or purposes is \$1,042,210.

(c) The estimated cost of said improvements or purposes is \$1,385,987, the excess thereof over the said estimated maximum amount of bonds or notes to be issued therefore being the amount of \$343,777, which amount is comprised of the down payment available for said improvements or purposes in the amount of \$52,111 and the Grants in the amount of \$291,666.

**SECTION 4.** In the event the United States of America, the State of New Jersey, and/or the County of Bergen make a contribution or grant in aid to the Borough for the improvements and purposes authorized hereby which is in addition to the Grants and the same shall be received by the Borough prior to the issuance of the bonds or notes authorized in Section 2 hereof, then the amount of such bonds or notes to be issued shall be reduced by the amount so received from the United States of America, the State of New Jersey and/or the County of Bergen. In the event, however, that any amount so contributed or granted by the United States of America, the State of New Jersey and/or the County of Bergen shall be received by the Borough after the issuance of the bonds or notes authorized in Section 2 hereof, then such funds shall be applied to the payment of the bonds or notes so issued and shall be used for no other purpose. This Section 4 shall not apply, however, with respect to any contribution or grant in aid received by the Borough as a result of using funds from this bond ordinance as “matching local funds” to receive such contribution or grant in aid.

**SECTION 5.** All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough, provided that no note shall mature later than one (1) year from its date or as otherwise authorized by the Local Bond Law. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer of the Borough. The Chief Financial Officer of the Borough shall determine all matters in connection with the notes issued pursuant to this bond ordinance, and the signature of the Chief Financial Officer of the Borough upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time in accordance with the provisions of the Local Bond Law. The Chief Financial Officer of the Borough is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchaser thereof upon receipt of payment of the purchase price and accrued interest thereon from their dates to the date of delivery thereof. The Chief Financial Officer of the Borough is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this bond ordinance is made. Such report must include the principal amount, the description, the interest rate, the maturity schedule of the notes so sold, the price obtained and the name of the purchaser.

**SECTION 6.** The Capital Budget of the Borough is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. In the event of any such inconsistency, a resolution in the form promulgated by the Local Finance Board showing full detail of the amended Capital Budget and capital programs as approved by the Director of the Division of Local Government Services, New Jersey Department of Community Affairs will be on file in the office of the Clerk and will be available for public inspection.

**SECTION 7.** The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not current expenses and are improvements which the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of said improvements or purposes within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the said bonds authorized by this bond ordinance, is 9.13 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly made and filed in the Office of the Clerk of the Borough and a complete executed duplicate thereof has been filed in the Office of the Director of the Division of Local Government Services, New Jersey Department of Community Affairs, and such statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds or notes provided for in this bond ordinance by \$1,042,210 and the said bonds or notes authorized by this bond ordinance will be within all debt limitations prescribed by said Local Bond Law.

(d) An aggregate amount not exceeding \$40,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost indicated herein for the improvements or purposes hereinbefore described.

**SECTION 8.** The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the bonds or notes authorized by this bond ordinance. The bonds or notes shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the Borough for the payment of the bonds or notes and the interest thereon without limitation as to rate or amount.

**SECTION 9.** The Borough reasonably expects to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 of this bond ordinance and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein have been or are reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the Borough, or any member of the same "Controlled Group" as the Borough, within the meaning of Treasury Regulation Section 1.150-1(e), pursuant to its budget or financial policies with respect to any expenditures to be reimbursed. This Section 9 is intended to be and hereby is a declaration of the Borough's official intent to reimburse any expenditures toward the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulation Section 1.150-2, and no further action (or inaction) will be an abusive arbitrage device in accordance with Treasury Regulation Section 1.148-10 to avoid the arbitrage yield restrictions or arbitrage rebate requirements under Section 148 of the Internal Revenue Code of 1986, as amended (the "Code"). The proceeds of any bonds or notes authorized herein used to reimburse the Borough for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will not be used directly or indirectly (i) to "refund" an issue of governmental obligations within the meaning of Treasury Regulation Section 1.150-1(d), (ii) to create, within one year, following the reimbursement of any expenditures with bond proceeds "replacement proceeds" within the meaning of Treasury Regulation Section 1.148-1 of the bonds or any other bond issue, or (iii) to reimburse the Borough for any expenditure or payment that was originally paid with the proceeds of any obligation of the Borough (other than borrowing by the Borough from one of its own funds or the funds of a member of the same "Controlled Group" within the meaning of Treasury Regulation Section 1.150-1(e)). The bonds or notes authorized herein to reimburse the Borough for any expenditures toward the costs of the improvements or purposes described in Section 3 hereof will be issued in an amount not to exceed \$1,042,210. The costs to be reimbursed with the proceeds of the bonds or notes authorized herein will be "capital expenditures" in accordance with the meaning of Section 150 of the Code and Treasury Regulation Section 1.150-1. This provision will take effect

immediately, but will be of no effect with regard to expenditures for costs paid outside the permitted reimbursement period set forth in Treasury Regulation Section 1.150-2(d)(2).

**SECTION 10.** The Borough covenants to maintain the exclusion from gross income under Section 103(a) of the Code of the interest on all bonds and notes issued under this bond ordinance.

**SECTION 11.** This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.”

**ADOPTED ON FIRST READING**

**DATED: November 8, 2021**

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**ANN H. BISTRITZ,**  
**Borough Clerk**

**ADOPTED ON SECOND READING**

**DATED: December 13, 2021**

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**ANN H. BISTRITZ,**  
**Borough Clerk**

**APPROVAL BY THE MAYOR ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2021**

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**PAUL A. HOELSCHER,**  
**Mayor**

